

THIRTIETH DAY

(Thursday, March 6, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Brown	Moffett
Bullock	Morris
Chadick	Parrish
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Moffett, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Carney was granted leave of absence for today on account of important business on motion of Senator Morris.

Senator Vick was granted leave of absence for today on account of important business on motion of Senator Jones.

Senator Phillips was granted leave of absence for today on account of illness on motion of Senator Hardeman.

Reports of Standing Committees

Senator Morris submitted the following reports:

Austin, Texas,
March 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred House Bill No. 284, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,
March 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred House Bill No. 293, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,
March 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred House Bill No. 254, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,
March 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred House Bill No. 57, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,
March 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred Senate Bill No. 187, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that Committee Substitute for Senate Bill 187 do pass in lieu thereof, and be printed.

C. S. S. B. No. 187 was read first time.

MORRIS, Chairman.

Senator Kelley of Hidalgo submitted the following reports:

Austin, Texas,
March 6, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was

referred S. J. R. No. 9, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but Committee Substitute attached hereto, do pass in lieu thereof, and be printed.

C. S. S. J. R. No. 9 was read first time.

KELLEY of Hidalgo, Chairman.

Austin, Texas,
March 6, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 10, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY of Hidalgo, Chairman.

Senator Tynan submitted the following report:

Austin, Texas,
March 6, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred Senate Bill No. 274, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

TYNAN, Acting Chairman.

Senator Knight submitted the following reports:

Austin, Texas,
March 6, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred Senate Bill No. 276, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

KNIGHT, Chairman.

Austin, Texas,
March 6, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred Senate Bill No. 269, have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass as amended, and be printed.

KNIGHT, Chairman.

Austin, Texas,
March 6, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred Senate Bill No. 248, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KNIGHT, Chairman.

Committee to Attend Funeral Services for Honorable John W. Hornsby

The President announced the appointment of the following committee to attend the funeral services for Senator Hornsby who died on yesterday, Wednesday, March 5, 1947: Senators Stanford, Aikin, Moffett, Brown, Tynan, Hardeman and Harris.

Senate Bills on First Reading

The following bills were introduced, read severally first time, and referred to the committees indicated:

By Senators Vick, Stanford, Brown, Stewart, Parrish and Kelley of Hidalgo:

S. B. No. 302, A bill to be entitled "An Act amending Article 3912e, Section 13, Revised Civil Statutes of 1925, as amended, so as to provide that from effective date of this amendment, the salaries of certain county officers named in Section 13 of Article 3912e, in counties having a population of more than twenty thousand (20,000) inhabitants and less than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal census, shall be increased by twenty-five (25) per cent of the maximum amount that such officers are allowed as salary on the effective date of this Act; and declaring an emergency."

To Committee on State Affairs.

By Senator Harris:

S. B. No. 303, A bill to be entitled "An Act providing that the Commissioners' Court in certain counties shall fix the compensation for the deputies, assistants and employees in all county and district offices except

the district attorney; and repealing all laws in conflict herewith, as applied to counties within the provisions of this Act; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Kelley of Hidalgo:

S. B. No. 304, A bill to be entitled "An Act providing for the creation of county-wide independent school districts in counties having a scholastic population of not more than 2500 and having not more than two districts which have conducted schools during the next preceding two years; prescribing the procedure to be followed in forming such districts; excepting therefrom county line districts; providing for the appointment and election of trustees; defining duties, qualifications, and terms of office of trustees; providing for tax elections, assumption of debt, issuance of bonds, and management of the schools; prescribing the method of taxation for maintenance and bonds until an equalized tax may be voted and bonds assumed; abolishing county boards of school trustees in counties in such instances; enacting other provisions relating to the subject; and declaring an emergency."

To Committee on Education.

By Senator Lane:

S. B. No. 305, A bill to be entitled "An Act authorizing any city or town, now or hereafter incorporated under the laws of this State, to organize, operate, support, and maintain a Board of City Development, Chamber of Commerce, or other similar organizations; authorizing the levy of a tax for such purposes, provided such tax levy is authorized by a majority vote of the property tax paying qualified voters of such city or town, at an election called and held for such purposes; and declaring an emergency."

To Committee on State Affairs.

By Senator Stewart:

S. B. No. 306, A bill to be entitled "An Act making appropriation of One Hundred Thousand Dollars (\$100,000) to be expended for the purpose of providing a permanent berth for the battleship 'Texas' where said battleship may be placed on exhibition as

a permanent memorial for the purpose of commemorating the heroic participation of the State of Texas in the prosecution and victory of the Second World War; providing for the creation of the Commission of Control for the battleship 'Texas', which Commission is to be known as the Battleship Texas Commission and providing for the manner of appointment of the members thereof; and providing for the formation of an Operating Board from the membership of said Commission; and providing that the Battleship Texas Commission may delegate to the Operating Board any or all powers of the Commission; providing that the Operating Board shall act as a liaison group between the Battleship Texas Commission and the San Jacinto State Park Commission; providing that the Battleship Texas Commission shall maintain a fund composed of the proceeds from the admission fee, which fund will be used to maintain and operate the Battleship 'Texas'; providing that the Commission may, at its option, retain the surplus of such fund, if any, remaining after all costs of maintaining and operating said vessel shall be paid in full, unless said surplus amounts to more than Twenty-five Thousand Dollars (\$25,000.00); providing that all net proceeds derived from such fund in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be returned to the Treasury of the State of Texas at the end of each fiscal year; providing that any surplus remaining from the appropriation of One Hundred Thousand Dollars (\$100,000.00) at the expiration of twelve (12) months following the effective date of this Act shall be paid to the State of Texas; providing that books and records of account shall be maintained for the Commission, which books and records shall be available for audit at any time; providing that the Commission may hire laborers, artisans, caretakers, stenographic and administrative help to carry out the provisions of this Act; providing that the Commission may hire laborers and purchase materials necessary to maintain the Battleship 'Texas' in a clean, neat and attractive condition; providing that, as far as practicable, any materials used in maintaining and providing that all employees hired under the provisions of this Act be residents of Texas; providing that all expenditures of the Board of Control

of the State of Texas; providing that all funds expended under the terms of this Act shall be drawn from the State Treasury by warrants signed by the Comptroller of Public Accounts and the Treasurer of the State of Texas; providing for the fulfillment of vacancies on the Commission; making it unlawful for any member of the Battleship Texas Commission or of the Operating Board to charge, receive or obtain directly or indirectly any fee, commission, retainer or brokerage out of the funds hereby appropriated; precluding any such persons from having any interest in any land, materials, concessions or contracts sold to or made with the Battleship Texas Commission or the Operating Board; providing for punishment for violations of the provisions of this Act; providing that no member of the Commission or the Operating Board shall receive any salary; limiting salaries to Four Thousand Dollars (\$4,000.00) per year; providing for a savings clause; and declaring an emergency."

To Committee on Finance.

By Senator Knight:

S. B. No. 307, A bill to be entitled "An Act amending S. B. No. 121, Acts 1937, 45th Legislature, same being Art. 4860-a of Vernon's Annotated Civil Statutes of Texas; and declaring an emergency."

To Committee on Insurance.

By Senators Jones, Harris, Moffett, Winfield, Hardeman and Parrish:

S. B. No. 308, A bill to be entitled "An Act creating a 'Texas Rural Development Commission' providing for the qualification, nomination and terms of office of the members of said Commission; providing the duties and functions of said commission; providing for certain employees and making an appropriation to pay certain salaries and expenses; and declaring an emergency."

To Committee on Finance.

Senate Resolution 44

(Expressing Thanks to Citizens of Houston, Texas.)

Senator Brown offered the following resolution:

Whereas, The Houston Fat Stock Show was held in the City of Houston, on February 7th and 8th, 1947,

and extended a very cordial invitation to the Senate of Texas through our very capable and esteemed colleague Senator Lacy Stewart, to visit their show and enjoy the festivities, and

Whereas, A hearty welcome awaited members and their ladies at the Port of Houston, and a good time was had by all; now therefore, be it

Resolved by the Senate of Texas, That we express our sincere thanks to our colleague the Hon Lacy Stewart; to Mr. James W. Sartwell, President and to the Board of Directors of the Houston Fat Stock Show; to Mayor Oscar Holcombe, and the members of the City Council of Houston, to Honorable Gleen Perry, County Judge and County Commissioners; to W. N. Blanton and members of the Board of Directors of the Houston Chamber of Commerce, and that a copy of this resolution be mailed to each of the above persons.

Signed—Allan Shivers, Lieutenant Governor; Senators Aikin, Brown, Bullock, Carney, Chadick, Cousins, Crawford, Hardeman, Harris, Hazlewood, Jones, Kelley of Hidalgo, Kelly of Tarrant, Knight, Lane, Mauritz, Moffett, Morris, Parrish, Phillips, Proffer, Ramsey, Stanford, Stewart, Strauss, Taylor, Tynan, Vick, Weinert, Winfield, York.

The resolution was read.

On motion of Senator Bullock, and by unanimous consent, the names of the Lieutenant Governor and all Members of the Senate were added to the resolution as signers thereof.

On motion of Senator Brown, and by unanimous consent, the resolution was considered immediately and was adopted.

Votes on House Bill 76 Reconsidered

Senator Kelley of Hidalgo moved to reconsider the vote by which House Bill No. 76 was passed on yesterday.

The motion prevailed.

The President then laid the bill before the Senate on its final passage.

Question—shall the bill be passed?

Senator Kelley of Hidalgo then moved to reconsider the vote by which the bill was on yesterday passed to third reading.

The motion prevailed.

Question—Shall the bill be passed to third reading?

The President laid the bill before the Senate on its passage to third reading.

Senator Kelley of Hidalgo then moved to reconsider the vote by which the amendment, offered by him on yesterday, was adopted.

The motion to reconsider prevailed.

Question—Shall the amendment be adopted?

Senator Kelley withdrew the amendment.

House Bill No. 76 was passed to third reading.

House Bill 76 on Final Passage

Senator Kelley of Hidalgo moved that H. B. No. 76 be placed on its final passage at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Chadick	Parrish
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Carney	Proffer
Mauritz	Vick
Phillips	

The President then laid the bill before the Senate on its final passage.

The bill was passed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Chadick	Parrish
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Carney	Proffer
Mauritz	Vick
Phillips	

Providing for Resolution in Memory of Honorable John W. Hornsby

Senator Stanford moved that a committee of three be appointed to draft a resolution in memory of Senator John W. Hornsby, and that when the Senate adjourns today, it do so in memory of Senator Hornsby.

The motion prevailed.

Accordingly, the President announced the appointment of Senators Stanford, Aikin and Weinert as members of the committee.

Adjournment

On motion of Senator Stanford, the Senate, at 11:30 o'clock a. m., adjourned until 10:30 o'clock a. m., Monday, March 10, 1947.

THIRTY-FIRST DAY

(Monday, March 10, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	York
Lane	

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Strauss, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 6, 1947 was dispensed with and the Journal approved.